

THE GENERAL ASSEMBLY OF PENNSYLVANIA

# HOUSE BILL

## No. 1053 Session of 1997

INTRODUCED BY EVANS, JOSEPHS, MIHALICH, THOMAS, TRELLO, MELIO,  
PETRARCA, McCALL, LAUGHLIN, BOSCOLA, YOUNGBLOOD, RAMOS,  
CAPPABIANCA, HALUSKA, MUNDY, DERMODY, ROONEY, DeLUCA, BEBKO-  
JONES, WALKO, BELARDI, PRESTON, BLAUM, SANTONI, CURRY, SURRA,  
SHANER, ITKIN, VAN HORNE AND TRICH, MARCH 25, 1997

REFERRED TO COMMITTEE ON JUDICIARY, MARCH 25, 1997

AN ACT

1 Amending the act of November 22, 1978 (P.L.1166, No.274),  
2 entitled "An act establishing the Pennsylvania Commission on  
3 Crime and Delinquency, providing for its powers and duties  
4 establishing several advisory committees within the  
5 commission and providing for their powers and duties,"  
6 authorizing a crime prevention program; and providing for  
7 technical and financial assistance to law enforcement  
8 agencies.

9 The General Assembly of the Commonwealth of Pennsylvania  
10 hereby enacts as follows:

11 Section 1. The preamble of the act of November 22, 1978  
12 (P.L.1166, No.274), referred to as the Pennsylvania Commission  
13 on Crime and Delinquency Law, is amended to read:

14 The General Assembly finds and declares that:

15 (a) crime and delinquency are essentially State and local  
16 problems;

17 (b) crime and delinquency are complex social phenomena  
18 requiring the attention and efforts of the criminal justice  
19 system, State and local governments, and private citizens alike;

1 (c) the establishment of appropriate goals, objectives and  
2 standards for the reduction of crime and delinquency and for the  
3 administration of justice must be a priority concern;

4 (d) the functions of the criminal justice system must be  
5 coordinated more efficiently and effectively;

6 (e) the full and effective use of resources affecting State  
7 and local criminal justice systems requires the complete  
8 cooperation of State and local government agencies; [and]

9 (f) training, research, evaluation, technical assistance and  
10 public education activities must be encouraged and focused on  
11 the improvement of the criminal justice system and the  
12 generation of new methods for the prevention and reduction of  
13 crime and delinquency[.];

14 (g) the efforts of law enforcement to combat the incidence  
15 of crime are enhanced substantially when communities take steps  
16 to reduce the opportunity for crime through effective police  
17 leadership in crime prevention planning, public education and  
18 the responsible organization of community resources; and

19 (h) it is in the public interest for the Commonwealth to  
20 establish a central crime prevention program to provide  
21 leadership and technical and financial assistance to law  
22 enforcement agencies to develop and maintain community crime  
23 prevention initiatives.

24 Section 2. Section 1 of the act, amended April 30, 1986  
25 (P.L.125, No.38), is amended to read:

26 Section 1. Definitions.

27 The following words and phrases when used in this act shall  
28 have, unless the context clearly indicates otherwise, the  
29 meanings given to them in this section:

30 "Citizens advisory committee." A group of not less than ten

private citizens from a municipality whose duty shall be to assist the servicing law enforcement agency in developing its crime prevention program.

"Commission." The Pennsylvania Commission on Crime and Delinquency.

"Crime prevention." The elimination or reduction of the opportunity for criminal activity through the initiatives of agencies of State and local government undertaken in cooperation with members of the public.

"Governing body." The council in cities, boroughs and incorporated towns, the board of commissioners in townships of the first class, the board of supervisors in townships of the second class, the legislative policymaking body in counties and home rule municipalities or other general purpose units of government which may be created by the General Assembly, including councils of government organized pursuant to 53 Pa.C.S. Ch. 23 Subch. A (relating to intergovernmental cooperation).

"Local law enforcement agency." A law enforcement agency created by a municipality pursuant to statute.

"Municipality." Every city, borough, county, incorporated town, township and home rule municipality or other general purpose unit of government which may be created by the General Assembly, including councils of government organized pursuant to 53 Pa.C.S. Ch. 23 Subch. A (relating to intergovernmental cooperation).

"Private citizen." An individual who is not an elected or appointed official in a branch of government of the United States, the Commonwealth or a political subdivision.

"State law enforcement agency." The Pennsylvania State

1 Police.

2 Section 3. The act is amended by adding sections to read:

3 Section 3.1. Duties of commission relative to crime prevention.

4 The commission shall have the power and its duty shall be:

5 (1) To develop Statewide strategies to implement crime  
6 prevention programs at the State and local level.

7 (2) To review State agency plans to ensure the  
8 coordination of the delivery of crime prevention services.

9 (3) To develop, coordinate and administer crime  
10 prevention-related training programs for State and local law  
11 enforcement agency personnel on current issues and techniques  
12 in the field of crime prevention.

13 (4) To provide leadership and on-site technical  
14 assistance services to State agencies and local law  
15 enforcement agencies in developing and implementing crime  
16 prevention programs.

17 (5) To assure the design, development and availability  
18 of crime prevention materials.

19 (6) To promote the involvement of community  
20 organizations in the development and implementation of crime  
21 prevention programs.

22 (7) To submit, on a biennial basis, a report to the  
23 Governor and the General Assembly concerning the status of  
24 crime prevention programs throughout this Commonwealth.

25 Section 3.2. Crime prevention financial assistance.

26 (a) Applications.--The commission shall solicit and receive  
27 applications from local law enforcement agencies for financial  
28 assistance to implement crime prevention programs and allocate  
29 State funds to applicants in accordance with the provisions of  
30 applicable statutes and regulations.

1     (b) Pennsylvania State Police applications.--The  
2     Pennsylvania State Police may apply for and receive financial  
3     assistance under the provisions of this section for crime  
4     prevention programs implemented in those areas of the  
5     Commonwealth for which the Pennsylvania State Police serves as  
6     the principal law enforcement agency.

7     (c) Assurances and plan.--An application for financial  
8     assistance under the provisions of this section shall contain  
9     assurances that the applicant will submit semiannual reports on  
10    the progress of its crime prevention activities and will comply  
11    with those requirements that the commission may reasonably  
12    adopt. The application shall also include a crime prevention  
13    services plan containing, as a minimum, all of the following  
14    elements:

15         (1) A project plan which includes a goal statement,  
16         specific project objectives, a project budget statement, a  
17         description of the quantity and type of resource materials  
18         needed and a project evaluation methodology.

19         (2) A description of the types of crime prevention  
20         activities proposed to be conducted by the applicant and a  
21         specification of the nature and extent of the direct  
22         participation of community organizations in the proposed  
23         activities.

24         (3) A description of the nature and extent of  
25         participation by persons representing the business community  
26         in the proposed activities and a specification of those  
27         proposed activities which are intended to have an impact upon  
28         crimes affecting the local business community.

29         (4) A specific identification of the nature and types of  
30         crimes upon which the proposed activities are intended to

impact and the level of impact the activities are projected to achieve.

(5) A description of the geographic area within which the proposed activities will be primarily conducted.

(d) Approval of application.--The commission may not approve an application for financial assistance under this section unless:

(1) the application has been duly authorized and approved in writing by the governing body of the municipality served by a local law enforcement agency applicant or by the Commissioner of the Pennsylvania State Police in the case of a State law enforcement agency application; and

(2) the application has been reviewed and commented upon by an advisory committee composed of not less than ten residents of the municipality to be served under the application. The advisory committee referred to in this paragraph shall be appointed by the governing body of the municipality served by a local law enforcement agency applicant or by the Commanding Officer of the Pennsylvania State Police installation for the jurisdiction to be served in the case of a State law enforcement agency application and shall be fairly representative of the interests of residents and business in the municipality.

(e) Allocation of funds.--The commission shall make available not less than 80% of the State funds appropriated annually for the administration of this section for financial assistance to State and local enforcement agencies for the support of municipal, county or regional crime prevention projects. The funds shall be used to pay 50% of an individual project's cost, provided the projects are operated under the

guidance of a law enforcement officer or other governmental employee, who has successfully completed those courses of instruction required by the commission. No one project would be eligible to receive more than three years of funding. The remaining 50% of a project's funding shall come from local resources, except that the commission may lower this requirement where the crime prevention program is part of a local economic development initiative and a lower match is deemed necessary for project implementation. The 50% match requirement shall be waived completely for a municipality determined to be distressed under the act of July 10, 1987 (P.L.246, No.47), known as the "Municipalities Financial Recovery Act." Individual counties or groups of counties acting in concert may apply for funding to support countywide or regional crime prevention plans.

(f) Commission use of funds.--The commission may retain the balance of the State funds appropriated annually for the operation of a centralized crime prevention program and administration of the financial assistance requirements contained in this section.

(g) Grant administration.--Grants of financial assistance made under this section shall be subject to the provisions of section 3(4) and (5).

Section 4. This act shall take effect July 1, 1997.